

1 LOUIS A. LEONE, ESQ. (CSB #099874)
2 KATHLEEN DARMAGNAC, ESQ. (CSB #150843)
3 **STUBBS & LEONE**
4 2175 N. California Blvd., Suite 900
5 Walnut Creek, CA 94596
6 Telephone: (925) 974-8600
7 Facsimile: (925) 974-8601

8 Attorneys for Defendant and Cross-Complainant
9 SAN FRANCISCO COMMUNITY COLLEGE DISTRICT

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA

12 MARGIE CHERRY and ESTORIA
13 CHERRY on behalf of themselves and all
14 others similarly situated,

15 Plaintiffs,

16 vs.

17 THE CITY COLLEGE OF SAN
18 FRANCISCO ("City College"); et al.

19 Defendants.

20 SAN FRANCISCO COMMUNITY
21 COLLEGE DISTRICT,

22 Cross-Complainant,

23 vs.

24 SWINERTON & WALBERG COMPANY, a
25 California corporation; VANIR
26 CONSTRUCTION MANAGEMENT, INC., a
27 California corporation; PATRI, BURLAGE,
28 MERKER ARCHITECTS, a California
corporation. and its successor-in-interest;
PATRI.MERKER ARCHITECTS, INC., a
California corporation; NIBBI BROS. INC, a
California corporation, and ROES 1-20,

Cross-Defendants.

Case No.: C04-4981 WHA

STIPULATION FOR AND ORDER
DISMISSING CLAIMS AGAINST
CROSS-DEFENDANTS SWINERTON
& WALBERG COMPANY, PATRI,
BURLAGE, MERKER ARCHITECTS,
PATRI.MERKER ARCHITECTS, INC.
AND NIBBI BROS., INC., WITH
PREJUDICE

[Fed.R.Civ.Proc. , Rule 41(c)]

Pursuant to Rule 41(c) of the Federal Rules of Civil Procedure, IT IS HEREBY STIPULATED by and between the parties to this action through their designated counsel of record, that the Cross-Claims filed on June 1, 2006, and amended on September 15, 2006, by cross-complainant/defendant SAN FRANCISCO COMMUNITY COLLEGE DISTRICT against cross-defendants SWINERTON & WALBERG COMPANY, PATRI, BURLAGE, MERKER ARCHITECTS, PATRI.MERKER ARCHITECTS, INC., and NIBBI BROS. INC, shall be dismissed, with prejudice, each side to bear her or its own attorneys' fees and costs of suit.

Dated: January 22, 2007

GORDON & REES


LISA A. PERROT

Attorney for Cross-Defendant Patri,
Burlage, Merker Architects and

Dated: January __, 2007

HANSON BRIDGETT

KURT A. FRANKLIN

Attorney for Cross-Defendant
Swinterton Builders

Dated: January __, 2007

ROBERT NIBBI

NIBBI BROTHERS

Dated: January __, 2007

STUBBS & LEONE

Kathleen Darmagnac

Attorneys for Cross-
Complainant/Defendants
SAN FRANCISCO COMMUNITY
COLLEGE DISTRICT

Pursuant to Rule 41(c) of the Federal Rules of Civil Procedure, IT IS HEREBY
STIPULATED by and between the parties to this action through their designated
counsel of record, that the Cross-Claims filed on June 1, 2006, and amended on
September 15, 2006, by cross-complainant/defendant SAN FRANCISCO COMMUNITY
COLLEGE DISTRICT against cross-defendants SWINERTON & WALBERG
COMPANY, PATRI, BURLAGE, MERKER ARCHITECTS, PATRI.MERKER
ARCHITECTS, INC., and NIBBI BROS. INC, shall be dismissed, with prejudice, each
side to bear her or its own attorneys' fees and costs of suit.

Dated: January __, 2007

GORDON & REES

LISA A. PERROT
Attorney for Cross-Defendant Patri,
Burlage, Merker Architects and

Dated: January 23, 2007

HANSON BRIDGETT
KURT A. FRANKLIN
Attorney for Cross-Defendant
Swinton Builders

Dated: January __, 2007

ROBERT NIBBI
NIBBI BROTHERS

Dated: January __, 2007

STUBBS & LEONE

Kathleen Darmagnac
Attorneys for Cross-
Complainant/Defendants
SAN FRANCISCO COMMUNITY
COLLEGE DISTRICT

Pursuant to Rule 41(c) of the Federal Rules of Civil Procedure, IT IS HEREBY
STIPULATED by and between the parties to this action through their designated
counsel of record, that the Cross-Claims filed on June 1, 2006, and amended on
September 15, 2006, by cross-complainant/defendant SAN FRANCISCO COMMUNITY
COLLEGE DISTRICT against cross-defendants SWINERTON & WALBERG
COMPANY, PATRI, BURLAGE, MERKER ARCHITECTS, PATRI.MERKER
ARCHITECTS, INC., and NIBBI BROS. INC, shall be dismissed, with prejudice, each
side to bear her or its own attorneys' fees and costs of suit.

Dated: January __, 2007

GORDON & REES

LISA A. PERROT
Attorney for Cross-Defendant Patri,
Burlage, Merker Architects and

Dated: January __, 2007

HANSON BRIDGETT

KURT A. FRANKLIN
Attorney for Cross-Defendant
Swinterton Builders

Dated: January ²²_, 2007

Robert Nibbi
ROBERT NIBBI
NIBBI BROTHERS

Dated: January ²³_, 2007

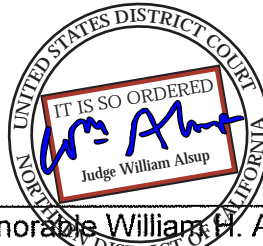
STUBBS & LEONE

Kathleen Darmagnac
Attorneys for Cross-
Complainant/Defendants
SAN FRANCISCO COMMUNITY
COLLEGE DISTRICT

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2 The cross-claims by SAN FRANCISCO COMMUNITY COLLEGE DISTRICT
3 against cross-defendants SWINERTON & WALBERG COMPANY, PATRI, BURLAGE,
4 MERKER ARCHITECTS, PATRI.MERKER ARCHITECTS, INC., and NIBBI BROS.
5 INC are dismissed, with prejudice, each party to bear her or its attorneys' fees and
6 costs.

7 **IT IS SO ORDERED:**

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9 DATED: January 25, 2007



10 Honorable William H. Alsup
11 United States District Judge
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